

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

HEN & THREAD, INC., a )  
California corporation, and )  
HYUN KIM, an individual, )  
Plaintiffs, )

vs. )

Case No.  
2:19-cv-00283-CBM-AFM

WHOLESALEFASHIONSQUARE.COM, )  
INC., a California corporation, )  
Defendant. )

WHOLESALEFASHIONSQUARE.COM, )  
INC., a California corporation, )  
Cross-Plaintiff )

vs. )

(CONTINUED ON PAGE 2)

VIDEOCONFERENCE DEPOSITION OF PMK FOR  
J & K CLOTHING, INC.,  
ANDREW JIN PARK  
Friday, August 7, 2020  
Los Angeles, California

Reported by: Susan R. Wood, CSR No. 6829

1  
2  
3 BRIAN J. PARK, an individual, )  
4 ANDREW J. PARK, an individual, )  
5 J & K CLOTHING, INC. d/b/a )  
6 LOVE LETTER COLLECTION a.k.a. )  
7 MI AMORE F/S, a California )  
8 Corporation; YOUNG H. CHO, an )  
9 individual, SOYEON CHO, an )  
10 individual, SKYOCEAN, INC., a )  
11 California Corporation; and )  
12 DOES 1-10, individuals and/or )  
13 entities of unknown form, )  
14  
15 Cross-Defendants. )  
16 ----- )  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES

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1           A.     I was the middleman. I was relaying the  
2     messages back and forth, kind of playing the  
3     interpreter.

4           Q.     But Sketch never communicated directly with  
5     Eli, to your knowledge; correct?

6           A.     Not to my knowledge.

7           Q.     And Sketch never communicated directly with  
8     Wholesale Fashion Square, to your knowledge; correct?

9           A.     Not to my knowledge.

10          Q.     So the instructions that were given were given  
11     by you.

12                 MR. MYUNG: Objection. Vague and ambiguous.

13                 THE WITNESS: Again, I'd have to dig through my  
14     messages, but Eli at WFS and I were working closely to  
15     kind of coordinate the timing and trucking and all the  
16     little nuances involved with the actual logistics.

17     BY MR. WAGNER:

18          Q.     And so when the merchandise was returned, it  
19     was physically returned to Skyocean; correct?

20          A.     Yes, I believe so.

21          Q.     And what happened to it from there?

22          A.     I don't know. I mean, by then I was just, you  
23     know, done with both sides. I didn't want any part of  
24     it. Once -- I think that's when Sketch was trying to  
25     finalize the numbers. That's when we realized we were

1       those goods?

2               MR. KANG:   Objection.   Lacks foundation.  
3       Assumes facts.

4               THE WITNESS:   Yeah, I don't know.   I thought  
5       you had asked that question; so I'm not sure.   I don't  
6       know.

7       BY MR. WAGNER:

8               Q.     And at the time you sold the goods to Wholesale  
9       Fashion Square, they were in the possession of Skyocean;  
10      correct?

11              MR. KANG:   Again, same objection.

12              THE WITNESS:   That's where we met but, again, I  
13      don't know -- as far as title and things like that, I  
14      don't know.

15      BY MR. WAGNER:

16              Q.     Well, I understand title you don't know.   My  
17      next question was about possession.   At the time you  
18      sold the goods to Wholesale Fashion Square, they were in  
19      the possession of Skyocean; correct?

20              MR. MYUNG:   Objection.   Vague and ambiguous as  
21      to the term "possession."

22              THE WITNESS:   I had believed that to be  
23      Sketch's merchandise, and plus Skyocean is where we  
24      physically met, yes.

25      /////



1 office.

2 Q. Was there anything specifically you recall -- I  
3 understand you're going to abide by your attorney's  
4 instruction not to answer about the contents of the  
5 meeting with Mr. Myung, yourself, and the owner of  
6 Skyocean. And I understand that instruction, whether or  
7 not I agree with it. My point is is apart from  
8 discussions in front of Mr. Myung, do you recall  
9 anything about discussions with the owner of Skyocean  
10 outside the presence of Mr. Myung?

11 A. No. I mean, it was just like small talk on our  
12 way back to our cars. That's it.

13 (Exhibit Number 2  
14 marked for identification.)

15 BY MR. WAGNER:

16 Q. If you could turn to Exhibit 2.

17 A. Okay. Looks like an e-mail.

18 Q. And this is an e-mail chain and attachment  
19 between yourself and Wholesale Fashion Square; correct?

20 A. Correct.

21 Q. And if you turn to page -- second page of the  
22 document, which has at the bottom J&K000285, you see the  
23 first e-mail in time is a September 13th e-mail from  
24 Grace at Wholesale Fashion Square to yourself.

25 A. I'm sorry. I'm just trying to get this in

1 focus here. Can you repeat that question.

2 Q. Sure.

3 Turn to the second page of the document.

4 A. Okay.

5 Q. And you see -- the bottom of the second page,  
6 do you see where it says J&K000285? Do you see that all  
7 the way at the bottom?

8 A. 00285? Oh, yes.

9 Q. There's an enlarging tool, you know, you can --

10 A. No, no, no. I'm sorry.

11 Q. If it's pretty small you can zoom in.

12 A. I see it. I was looking at the actual  
13 documentation, not the notation below. Yes, I see that.

14 Q. So you see on the notation -- okay.

15 And you see above that there is an e-mail from  
16 September 13, 2018, from Grace at Wholesale Fashion  
17 Square to yourself?

18 A. Yes.

19 Q. And this reflects the refund request that you  
20 received from Wholesale Fashion Square; correct?

21 MR. KANG: I'm going to object to the extent  
22 that the document speaks for itself.

23 THE WITNESS: Okay. This is in reference to  
24 the refund, yes.

25 ////

1 BY MR. WAGNER:

2 Q. And this is the request you received from  
3 Wholesale Fashion Square for a refund; right?

4 A. It looks like it.

5 Q. And the statement that Wholesale Fashion Square  
6 paid a total amount of \$133,990.50, was that an accurate  
7 statement?

8 A. I'd have to -- again, to give you precise  
9 numbers, I'd have to look at my -- my records.

10 Q. So you're not sure one way or the other?

11 A. I'm not sure if that's the exact number. I  
12 assume it's correct, yes.

13 Q. And then in response you processed a refund to  
14 them; correct?

15 A. Yes, I did.

16 Q. And the wire -- and that was for \$100,000; is  
17 that correct?

18 A. Again, I'd have to look. I can't recall the  
19 specifics, but I did wire them a good chunk for sure.

20 Q. If you look further up that page, you see at  
21 the top of Page 285 there's an image of a wire transfer  
22 page. At the top of that second page, do you see that  
23 picture? It looks like a wire transfer request?

24 A. Uh-huh.

25 Q. And you see -- I realize the document's not

1 oriented normally, but you see what would be the top  
2 right corner of the document if it were oriented  
3 normally in the closest part to the top where it says  
4 \$100,000?

5 A. Yes. So that must be the amount we sent back,  
6 yes.

7 Q. And so this is stated in your e-mail. On the  
8 first page this reflects your refund to Wholesale  
9 Fashion Square in the amount of \$100,000; is that  
10 correct?

11 A. I don't see that e-mail.

12 Q. If you go to the first page, there's an e-mail  
13 from September 14th, 2018, from yourself to Grace and  
14 Michael at Wholesale Fashion Square. It says "Hi there,  
15 please look out for the wire. Stamped confirmation  
16 below."

17 A. Yeah.

18 Q. And so this \$100,000 reflects your refund to  
19 Wholesale Fashion Square; is that correct?

20 A. Yes, that's correct.

21 (Exhibit Number 3  
22 marked for identification.)

23 BY MR. WAGNER:

24 Q. If you could turn to Exhibit 3.

25 A. Okay.

1 Q. It's a yes or no. I didn't ask about the  
2 purpose. I asked whether that was an accurate  
3 statement.

4 A. As far as it being accurate, I mean, he's  
5 taking ownership from Sketch. I'm just strictly  
6 facilitating the deal.

7 Q. But that's not --

8 A. Well, again, I -- to answer your question, it's  
9 probably incorrect because, again, I'm not a lawyer and  
10 I probably -- looking at it now, it's probably not  
11 phrased the way it should be 'cause I was never the  
12 owner of the goods.

13 Q. So the factual premise of this contract is  
14 inaccurate; is that correct?

15 A. I'm sorry?

16 Q. The factual premise of this contract is  
17 inaccurate; is that correct?

18 A. Yeah. I don't know what that means.

19 MR. KANG: Speculation. Calls for a legal  
20 conclusion.

21 BY MR. WAGNER:

22 Q. Do you know what factual premise is? Is that a  
23 phrase you understand?

24 MR. KANG: Calls for a legal conclusion.

25 THE WITNESS: Factual premises. Is it the

1 the deal, after? Was it --

2 A. I mean, it looks like -- this looks like the  
3 preliminary numbers. Post, obviously, we are shorted  
4 significantly more than that.

5 Q. And then it has, you know, kind of -- it's  
6 Column B and you've got B8 and B9 and that's C8 and C9.  
7 Is that permutations kind of calculation based on  
8 different prices what the gross cost would be?

9 A. Yes. I mean, that's the agreed price that WFS  
10 agreed to purchase versus agreed price that Sketch had  
11 agreed to give, and then as you can see right below that  
12 is the net commission baked in for myself.

13 Q. And so that net -- just to be clear, that net,  
14 B12 and B13 -- excuse me, B12 and C12, that refers to  
15 the commission to you?

16 A. I believe so. I mean, if I can -- do you want  
17 me to use a calculator and check? I believe so.

18 Q. Well, I'm not asking whether the math is right,  
19 but I'm saying it's your understanding that figure  
20 refers to commissions to you.

21 A. Yeah.

22 Q. Is that correct?

23 A. I believe so, yes.

24 Q. And then when you go down below that to Sonata  
25 amount 114,849, did that reflect Sonata was to be paid

1 STATE OF CALIFORNIA )  
 ) ss.

2 COUNTY OF KERN )  
3

4 I, ANDREW JIN PARK, do hereby certify:

5 That I have read the foregoing  
6 deposition;

7 That I have made such changes in form and/or  
8 substance to the within deposition as might be necessary  
9 to render the same true and correct;

10 That having made such changes thereon, I hereby  
11 subscribe my name to the deposition.

12 I declare, under penalty of perjury, that the  
13 foregoing is true and correct.

14 Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2020,  
15 at \_\_\_\_\_, California.  
16

17  
18 \_\_\_\_\_  
ANDREW JIN PARK  
19

20  
21  
22  
23  
24  
25

1 STATE OF CALIFORNIA )

) ss.

2 COUNTY OF KERN )

3  
4  
5 I, Susan R. Wood, a Certified Shorthand  
6 Reporter in the State of California, holding Certificate  
7 No. 6829, do hereby certify that ANDREW JIN PARK, the  
8 witness named in the foregoing deposition, was by me  
9 duly sworn; that said deposition was taken Friday,  
10 August 7, 2020, at the time and place set forth on the  
11 first page hereof.

12 That upon the taking of the deposition, the  
13 words of the witness were written down by me in  
14 stenotypy and thereafter transcribed by computer under  
15 my supervision; that the foregoing is a true and correct  
16 transcript of the testimony given by the witness.

17 I further certify that I am neither counsel for  
18 nor in any way related to any party to said action, nor  
19 in any way interested in the result or outcome thereof.

20 Dated this 17th day of August, 2020, at  
21 Bakersfield, California.

22  
23   
24

Susan R. Wood, CSR No. 6829